



Town of Westminster

11 SOUTH STREET
MASSACHUSETTS 01473

FROM THE OFFICE OF THE
CONSERVATION COMMISSION

Phone: (978) 874-7413 * Fax: (978) 874-7411

MINUTES OF MEETING January 30, 2013

**To: Selectmen
Board of Health
Building Commissioner
Planning Board
Highway Department
Town Clerk**

Present: Chairman Dan Bartkus, Co-Vice Chairman: Gary Smith, Gregg Buckman,
Members: Robert Gendron, John Regan, Tim Sheehan, Agent Bob Maki,
Secretary Susan Kalagher

Guests: Joseph DiCarlo, Andrew Kaski, Carol Kaski, Cheryl & Josh Jones, Dave
Voisine, Richard Pelullo, Daniel Golden, J. Porpora, John Takacs, R. O'Neil,
Leslie LaFleur

Documents and other Exhibits:

1. Plan – Natural Gas Pipeline Colony Road, Sargent Road, Simplex Drive
2. Plan – Senior Center – 69 West Main Street

The meeting was called to order at 7:00 p.m. The meeting was not being recorded.

Conservation Agent's Report

1. Water line replacement from 100 Town Farm Road to Oakmont Avenue. Bob Maki noted that there were wetlands in the area and advised DPW to file a NOI. They will wait until spring to proceed.
2. 1 Virginia Avenue Bob issued an Enforcement Order to Angela Cullen. Trees have been cut and the ground damaged with a skidder within the 100 foot buffer. Bob requested that they file a NOI for the February 20, 2013 meeting. Northland Engineers will not have a plan ready in time and hay bales will be placed along the perimeter of the pond.
3. 185 South Ashburnham Road Bob Maki reported that there has been an accident in front of the property due to run-off from the hill freezing in the road. The Commission has tried to work with the property owner and has requested that they come before the

Commission to discuss the completion of the project. They have been on the Agenda October 10, 2012, November 7, 2012, and November 28, 2012 and were not in attendance on any of those dates. It has been reported that it is due to health reasons. Gary Smith stated that it was plain to see that it is not run-off from the hill, but rather effluent from their septic. Bob Maki has been told by the Board of Health Agent that a tight tank had been installed. The Commission raised the question that if a tight tank was installed, how often has it been pumped and is the Board of Health monitoring it? This is a public safety issue and Karen Murphy, DPW, and the Board of Health should be involved. The Commission will request an appointment with the Board of Health to discuss this matter at the next Conservation meeting.

NOI
Senior Center
69 West Main Street

7:15 pm. The public hearing for the Construction of a new Senior Community Center with associated roadways, parking area and utilities at 69 West Main Street was opened. Joseph DiCarlo, landscape architect for Reinhardt Associates gave the overview of the project. Proof of abutter notification was submitted. This is a 12 acre site with 1 ½ acre classified as a 'shrub swamp'. The plan showed all work would be outside the 25 foot no build zone. Mitigation measures were discussed. Mr. DiCarlo stated that this was designed for the 100 year storm. It is the intent of the building committee to further develop the rear of the property at a later date. The Commission had concerns with how future development would impact the present site plan. It would become the responsibility of DPW to maintain catch basins and the slopes near the driveway and parking area will be planted with a wildflower mix and would not be mowed. Dan Bartkus suggested that the area would require the brush to be removed periodically to keep it from encroaching. Andy Kaski, an abutter, raised his concerns for the development of the property. He asked about the cuts and fills and was advised that it is not a balanced site. Mr. Kaski discussed the stockpile area. Bob Maki reviewed storm water calculations and discussed his findings that all run-off would be diverted to catch basin #3. Gary Smith raised the question about frozen ground and asked it was taken into consideration. Mr. DiCarlo stated that there are no state regulations for frozen ground. Run-off, snow removal issues, and catch basins were discussed. The Commission asked if Mr. Kaski and Mr. DiCarlo could get together to discuss the plan. It was determined that there were too many issues about water coursing, snow removal and snow stockpiling to make a decision. The Public Hearing was continued to February 20, 2013 at 7:15 p.m. The Public Hearing was closed at 8:04 p.m.

NOI
Fitchburg Gas / Unitil
Right-of-way Colony, Sargent and Simplex Drive

8:04 p.m. The public hearing for the installation of a natural gas pipe within the existing public road right-of-way on Colony Road, Simplex Drive, and Sargent Road was opened. Daniel Golden of Unitil and Steve Herzog of AMEC Environmental Consulting were present. Proof of abutter notification was submitted. Mr. Herzog gave the overview of the project. All work would be limited to the right-of-ways and would be a temporary disturbance. The purpose of the

work is to provide gas to NCI Gardner by tying into the existing gas main on Simplex Drive. The majority of the work would be in or at the edge of the roadway with the typical trench about 2 feet wide. The trench is typically backfilled as the pipe is installed. A possible vernal pool was discussed. Mr. Herzog did not find any evidence of a vernal pool. Gary Smith asked that they double up on the sack and silt fence. It is anticipated that the project will commence in April. Dan Bartkus asked for questions from the floor pertaining to the wetland issues and the Wetland Protection Act. Mr. Pelullo was opposed to the project and suggested that they go up Route 140. Mailboxes will be moved and replaced as needed. A 3-foot cover for the pipe will be maintained, and the applicant will take school busses and kids walking into consideration. A motion was made by Gregg Buckman with a second by Tim Sheehan to approve the plan. The Commission voted unanimously in favor. The public hearing was closed at 8:30 p.m.

Arbor Day

Gregg Buckman discussed observing Arbor Day or Earth Day at the elementary school.

Enforcement Order

An Enforcement Order issued to Angela Cullen at 1 Virginia Avenue was signed by the Commission.

Certificate of Compliance

A second Certificate of Compliance was signed by the Commission for St. Edwards church. They requested a notarized copy.

Voucher

A voucher for mileage for Bob Maki was signed after unanimous approval.

Minutes

The Minutes of November 28, 2012 were approved.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Dan Bartkus
Chairman
(prepared by Susan Kalagher)